

1 MICHELE BECKWITH
2 Acting United States Attorney
3 ALEXIS KLEIN
4 Assistant United States Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814
7 Telephone: (916) 554-2700
8 Facsimile: (916) 554-2900

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11 Attorneys for Plaintiff
12 United States of America

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14 IN THE UNITED STATES DISTRICT COURT
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16 EASTERN DISTRICT OF CALIFORNIA

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18 UNITED STATES OF AMERICA,
19 Plaintiff,
20 v.
21 DUSTIN JOHN BROWN, and
22 MATTHEW WILLIAM MICHALAK,
23 Defendants.

24 CASE NO. 2:24-CR-00268 WBS
25 STIPULATION FOR PROTECTIVE ORDER;
26 ~~PROPOSED~~ PROTECTIVE ORDER

27
28 **STIPULATION**

29 Plaintiff United States of America, by and through its counsel of record, Alexis Klein, and
30 defendants, Dustin Brown, by and through his counsel of record, Michael Long, and Matthew Michalak,
31 by and through his counsel of record, Todd Leras, hereby stipulate as follows:

32 1. The Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of
33 Criminal Procedure and its general supervisory authority.

34 2. The government represents that during the course of the investigation in this case, the
35 defendant(s) were recorded during one or more covert operations conducted by the Bureau of Alcohol,
36 Tobacco, Firearms and Explosives, and/or other law enforcement agencies, using a law enforcement
37 undercover and a confidential informant. The government believes disclosure of these recordings and
38 related reports will reveal their identities, placing them at risk of harm. Based on this information, the

1 parties agree the following terms are appropriate in order for the government to provide copies of these
2 materials directly to defense counsel.

3 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share the
4 covert recordings with anyone other than designated defense investigators and support staff. Defense
5 Counsel may discuss the contents of the recordings, reports, and any accompanying summary translation
6 with the defendants, but will not identify the identity of the confidential informant and law enforcement
7 undercover. The parties agree that Defense Counsel, defense investigators, and support staff shall not
8 allow the defendants to review or copy such information.

9 4. The recordings and materials provided may only be used in connection with the litigation
10 of this case and for no other purpose. The discovery is now and will forever remain the property of the
11 United States Government. Defense Counsel will return the discovery to the Government or certify that
12 it has been destroyed at the conclusion of the case.

13 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
14 ensure that it is not disclosed to third persons in violation of this agreement.

15 6. Defense Counsel shall be responsible for advising his or her respective client, employees,
16 and other members of the defense team, and defense witnesses of the contents of this Stipulation and
17 Order.

18 7. In the event that the defendant substitutes counsel, undersigned Defense Counsel agrees
19 to withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by
20 this Order.

21 IT IS SO STIPULATED.

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23
24 Dated: February 9, 2025

25 MICHELE BECKWITH
26 Acting United States Attorney

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28 _____
29 /s/ ALEXIS KLEIN
30 ALEXIS KLEIN
31 Assistant United States Attorney

Dated: February 11, 2025

/s/ MICHAEL LONG
MICHAEL LONG
Counsel for Defendant
DUSTIN BROWN

Dated: February 9, 2025

/s/ TODD LERAS
TODD LERAS
Counsel for Defendant
MATTHEW MICHALAK

[PROPOSED] FINDINGS AND ORDER

The Court, having read and considered the Stipulation and Joint Request for a Protective Order, which this Court incorporates by reference into this Order in full, finds that GOOD CAUSE exists to enter the above order.

IT IS SO FOUND AND ORDERED this 19 day of February, 2025.

Jeremy D. Peterson
THE HONORABLE JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE